



Administrative Memorandum

Nebraska Supreme Court
State Court Administrator
P. O. Box 98910
Lincoln, NE 68509
402-471-3730

DT: June/July 2004

RE: Administrative Memorandum 04-004

- Byrne Grant Monies to be Administered by AOC
- NSBA Jud. Res. Committee Studying Dist. & Co. Courts
- County Court Presiding Judges Meet
- LOIS Update
- AG's Task Force on Sexual Assault
- Judicial District Visits
- NCSC Review of Douglas County District Court & Clerk of District Court
- UNO Evaluation of Douglas County Drug Court Program
- Retirement Benefit Estimates from NPERS
- Upcoming Meetings & Training Opportunities
- Education Program Materials
- Filing & Reporting Requirements

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Administrative Memoranda available at www.nebraskacourt.com under "Court Administrator's Office" on the main page, left hand menu.

◆ BYRNE GRANT MONIES TO BE ADMINISTERED BY AOC

The Methamphetamine Initiative Advisory Board, under the auspices of the Nebraska State Patrol, has awarded \$245,000 of Byrne Grant Monies to the Nebraska Supreme Court to be used for treatment and prevention efforts through statewide drug courts.

Funds will be used to fund the newly forming Lancaster County Family Dependency Court, Douglas County Family Dependency Court, Sarpy County Felony Drug Court, Sidney/Cheyenne County Adult Drug Court and expansion of treatment services for the existing Central Nebraska Drug Court.

A portion of the funds will be used to fund a statewide Drug Court Coordinator and to provide training and education for judicial officers.

While in past years, most Byrne Grant Monies was used to fund methamphetamine enforcement and drug clean-up; this year's allocation by the State Patrol represents a significant commitment to drug treatment and prevention.

Questions may be directed to Frank Goodroe, State Court Administrator, 402-471-3730.

◆ NSBA JUDICIAL RESOURCES COMMITTEE STUDYING DISTRICT AND COUNTY COURTS

The Judicial Resources Committee of the **Nebraska State Bar Association** is taking a close look this summer at Nebraska's court system. The committee, chaired by Thomas Tye of Kearney, is looking at a variety of issues that can affect how judges and courts carry out their duties and provide service to the public.

1. Are there enough judges in the state and are they appropriately located?
2. Should there be any restructuring of the court system? Ideas such as unification of the trial courts, formation of family courts, and changing district boundaries will be studied.
3. Should there be changes in court rules, practices and procedures? Are there ways the handling of cases can be streamlined by increased use of referees and mediation? Should there be changes in statutes governing venue and jurisdictional limits?
4. Do judges have sufficient resources – staff, research capability, computers, telephone and video conferencing – to work efficiently?

The committee will meet through the summer and fall and produce a written report. Representing the judicial branch on the committee are: Supreme Court Justice Michael McCormack, District Judges John Icenogle and Robert Steinke, Juvenile Judge Christopher Kelly, County Judge Kent Florom, State Court Administrator Frank Goodroe and Associate Administrator Janice Walker.

For more information, contact Janice Walker, Associate Administrator, 402-471-2764.

◆ COUNTY COURT PRESIDING JUDGES MEET

Chief Justice Hendry met with all county court presiding judges at a special breakfast held in Lincoln during the county judges' summer education meeting. Chief Justice Hendry talked to the group about the leadership role of presiding judges and how the office of presiding judge can be strengthened.

Over the next few months, the current presiding judges and the county judges as a whole will be asked for input on the current selection process and whether it should be changed; County Court Rule 59 and whether it should be amended; and what kinds of training and support presiding judges need from the Supreme Court and Administrative Office of the Courts.

Those attending the session with the Chief Justice were: Hon. Curtis Maschman, Hon. Todd Hutton, Hon. Laurie Yardley, Hon. Thomas McQuade, Hon. Curtis Evans, Hon. Matt Samuelson, Hon. Richard Krepela, Hon. Gary Washburn, Hon. Philip Martin, Hon. Michael Offner, Hon. Carlton Clark, Hon. Charles Plantz, Hon. Kent Florom, President of the County Judges Association, Frank Goodroe, State Court Administrator and Janice Walker, Associate Administrator.

◆ LOIS UPDATE

Many judges have contacted LOIS representative Dean Strzelecki to switch from CDs to the LOIS Internet-based product. Judges, law clerks, and clerks who are interested should email Janet Bancroft at jhammer@nsc.state.ne.us for a password – you don't have to be a current subscriber to try the internet access. LOIS is offering assistance to get all judges and clerks accustomed to the system through individual phone training. If you need training assistance, call Dean at 800-364-2512 Ext. 4616 or e-mail him at dstrzelecki@loislaw.com.

◆ ATTORNEY GENERAL'S TASK FORCE ON SEXUAL ASSAULT

Attorney General Jon Bruning has formed a task force to examine ways to effectively address the problems of sexual assaults in Nebraska. The task force, which includes representatives from law enforcement, victim advocates, medical personnel, psychologists and the judiciary, met for the first time in Lincoln on May 27, 2004.

At that meeting, the Attorney General explained the purpose of the task force and then began to identify its priorities and define its future activities. The meeting was facilitated by Joyce Bunger, Assistant Dean of Nursing at the Creighton University Medical Center.

If you have input regarding this issue, please direct your inquiries to one of the court representatives on the task force; State Court Administrator, Frank Goodroe, 402-471-3730, or Director of Judicial Branch Education, Philip Gould, 402-471-3072.

◆ JUDICIAL DISTRICT VISITS

State Court Administrator, Frank Goodroe, and various staff will be touring the state visiting courthouses, mediation centers and other points of interest. Each district will host a district-wide meeting in a central location for anyone interested in attending. Upcoming visits include:

District 8	Wednesday, July 14, 1:30 p.m.	Burwell
District 7	Tuesday, August 3, 2:00 p.m.	Norfolk
District 6	Wednesday, August 4, 2:00 p.m.	Dakota City

Many thanks to everyone in Districts 11 and 12 who participated in the first visit. Your hospitality made the trip a memorable and pleasant one.

To follow the travel, log onto the Court's web page at www.nebraskacourt.com and look under "What's New." You will be able to view photos from visits, read notes from a travel diary, and see the upcoming schedule.

◆ NCSC REVIEW OF DOUGLAS COUNTY DISTRICT COURT AND CLERK OF DISTRICT COURT

The National Center for State Court recently completed a study of the Douglas County District Court. The study focused on three areas:

- jury management,
- court governance and calendaring,
- functioning of the clerk's office, and
- technology.

The National Center team made an oral presentation of their findings to the Douglas County judges and to the Nebraska Supreme Court. A full report will be issued later this summer.

Contact Hon. Patricia Lamberty, Presiding Judge of the Douglas County District Court, 402-444-7089, or Doug Johnson, District Court Administrator, 402-444-7007, for more information.

◆ UNO EVALUATION OF DOUGLAS COUNTY DRUG COURT PROGRAM

The University of Nebraska at Omaha completed an analysis in March, 2004, of the felony criminal-case filings in Douglas County District Court, focusing on characteristics of the participants, case outcomes and recidivism as well as a cost/benefit analysis of the Douglas County Drug Court. Among the highlights of the report are these:

- Drug court graduates and current participants generally had lower recidivism rates than adjudicated offenders.
- These lower recidivism rates result in significantly lower criminal justice costs during a 24-month period. The average savings per participant is \$2,999.
- When the system costs are combined with lower crime-victim, taxpayer and societal costs, there is a savings to Douglas County of \$11,336 per drug court participant compared to traditionally adjudicated offenders. The State of Nebraska, primarily the Department of Corrections, is the largest beneficiary of savings, even greater than at the county level.

Full copies of these reports are available from Hon. Gary Randall, Douglas County District Court, 402-444-7012.

◆ RETIREMENT BENEFIT ESTIMATES FROM NPERS

For those judges and magistrates in the judges' retirement plan who were unable to attend the summer retirement education sessions, the Nebraska Public Employees Retirement System is sending benefit estimates to you based on the current plan benefit options and the new plan options. Each estimate is based on your current salary to determine your final average compensation, your projected service credit at age 65 (if you do not currently have 20 years of service credit), and the current 3.5% formula factor. The Joint and Survivor options have been calculated using your date of birth and your spouse's date of birth (if applicable) using the information on file.

The effective date of the new retirement plan will become operative after the next judicial appointment or will become automatically effective in January after retention elections.

The website for the NPERS is www.npers.ne.gov -- Election Forms and Beneficiary Designation Forms can be found online. You will also be able to download Deferred Compensation forms from the site. For questions, call the NPERS at 402-471-2053.

◆ UPCOMING MEETINGS AND TRAINING OPPORTUNITIES

Mark your calendar.

Judicial Branch Education Calendar

- **Clerk Magistrate Annual Meeting**, September 8 – 10, Grand Island, Midtown Holiday Inn
- **Fall Judges Meeting in conjunction with the NSBA Annual Meeting**, October 19 – 22, Omaha, Hilton Hotel

Contact Marcie Brush, Administrative Secretary, at 402-471-2249, for registration information on any of the above programs.

Summer JUSTICE Training Opportunities

- County Court, July 12 – 16, Lincoln
- County Court, August 9 – 13, North Platte
- District Court, August 17 – 19, Lincoln

Contact Marcie Brush, Administrative Secretary, at 402-471-2249, for a registration packet.

Mediation Training Opportunities

- Basic Mediation Training, July 27 – 30, North Platte
- Large Group Facilitation, September 9 – 10, Fremont
- Family Mediation Training, October 12 – 15, Aurora
- Basic Mediation Training, November 10 – 13, Lincoln

For more information, please call Kelly Riley, Training Institute Developer, at the NMCA Training Institute, 877-342-2004.

◆ EDUCATION PROGRAM MATERIALS

If you were unable to attend the recent education meetings, contact Philip Gould, Director of Judicial Branch Education, 402-471-3072, for copies of the materials distributed.

◆ FILING AND REPORTING REQUIREMENTS

Judicial Office Holder's Retention Application: Due August 1. If you are up for retention and would like to verify that your application has been received by the Secretary of State, go to their website (<http://www.sos.state.ne.us/local/ElectionData/2004/Primary/Candidates/retention.htm>) and select the bench you serve on. If your name is on the list, your application has been received.

Judges' Cases Under Advisement Reports: Due by the 5th day of each month (reports are compiled and submitted to the Supreme Court).

Report of Probate Cases Pending: Due by the 10th day of each month.

Court Reporter Timesheets: Due by the 5th day of each month (judges are to sign time sheets prior to submission).

Court Caseload Monthly Statistic Reports: Due by the 10th day of each month.

County Court Time Sheets: Due by the 10th day of each month.

Stenographer Transcription Reports: Due by the 10th day of each month.

Cash Drawer Short/Long Transactions (County Court only): Due by the 10th day of each month.

Permanently Assigned Vehicle Logs: Due by the 5th day of each month.

Expense Vouchers: Submit on a monthly basis (rather than combining several months of expenses on one voucher)

Statement for Payment of Interpreters: Interpreter to submit between the 1st and 7th day of each month.